

telephone (202) 219-8753. Oral presentations will be limited to ten minutes, but an extended statement may be submitted for the record.

Organizations or individuals may also submit statements for the record without testifying. Twenty (20) copies of such statements should be sent to the Executive Secretary of the Advisory Council at the above address. Papers will be accepted and included in the record of the meeting if received on or before May 1, 1995.

Signed at Washington, DC this 7 day of April, 1995.

Olena Berg,

Assistant Secretary, Pension and Welfare Benefits Administration.

[FR Doc. 95-9138 Filed 4-12-95; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-325 and 50-324]

Carolina Power & Light Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-71 and DPR-62 issued to the Carolina Power & Light Company (the licensee) for operation of the Brunswick Steam Electric Plant, Units 1 and 2 (BSEP) located in Southport, North Carolina.

The proposed amendment would provide an exception to Technical Specification (TS) 3.0.4. TS 3.0.4 allows entry of a unit into another operational condition only if the conditions of the Limiting Conditions for Operation (LCOs) are met without reliance on TS action statements. The exception requested by the licensee would allow a change in a unit's operational condition in a specific situation in which the unit's LCO concerning the minimum number of operable offsite power circuits is not fully satisfied. Specifically, the exception would allow an operational mode change of a unit if the second unit is in Operational Condition 4 or 5 (i.e., cold shutdown or refueling) and one of the second unit's offsite power circuits is inoperable.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed amendments do not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed change would allow one unit to transition through Operational Conditions 3, 2, and 1 to full power with the opposite unit in Operation Condition 4 or 5 and one off-site power circuit out of service. The current specification allows one unit to operate for up to 45 days with the other unit shutdown and one of the shutdown unit's off-site power circuits unavailable.

A significant level of redundancy of AC sources remains, even with one of the shutdown unit's off-site circuits unavailable. If the shutdown unit's remaining offsite circuit were to fail during the restart of the other unit, some of the operating unit's components that receive AC power from the shutdown unit's emergency buses and their functions would be unavailable until power is restored to the emergency buses by the emergency diesel generators. For example, with Unit 1 shutdown and Unit 2 transitioning through startup to full power operation, the Unit 2 components fed by Emergency Buses E1 and E2 that would be temporarily unavailable on a loss of both Unit 1 off-site circuits include 2 of the 4 drywell coolers (4 of 8 drywell cooling fans), one conventional service water pump, Residual Heat Removal System (RHR) and RHR service water pumps 2C and 2D, Low Pressure Coolant Injection (LPCI) system injection valves, torus spray valves, and two diesel building exhaust fans. Were Unit 2 shutdown and Unit 1 transitioning through startup to full power operation, a Group 6# valve isolation and reactor building/secondary containment isolations also occurs on the operating unit (Unit 1), as well as a Standby Gas Treatment System automatic start. Temporary loss of these functions and the associated isolations and actuations would not cause an automatic unit reactor trip; therefore, a loss of offsite power to emergency buses on the shutdown unit would not cause a transient initiating event on the operating unit. Therefore, the probability of an accident previously evaluated is not significantly increased by the proposed change.

A loss of auxiliary (off-site) power (LOOP) event is an analyzed transient for the

Brunswick Plant. A loss of offsite power is assumed to occur following a loss of all external grid connections or faults in the offsite power system itself. The Brunswick Probabilistic Safety Assessment has modeled the loss of offsite power event. The most probable causes of a loss of offsite power event involve natural events or transmission network maintenance. Neither of these is affected by the proposed change. Therefore, the probability of a previously evaluated transient is not significantly increased.

This change does not affect the remaining off-site Technical Specification requirements nor does it affect the on-site electrical distribution Technical Specification requirements. The existing Technical Specifications require all four diesel generators and the remaining offsite power sources of both units be operable. Technical Specifications 3.8.1.1.c and 3.8.1.1.d will still be applicable to the unit transitioning through the startup evolution. These specifications dictate requirements for the operating unit upon loss of a diesel generator or an additional offsite power circuit. Thus, operability of the emergency diesel generators and the remaining offsite power sources is unaffected by this change. Since the emergency diesel generator capability is unaffected by this change, the proposed change would not affect the capability of accident mitigating equipment; therefore, the consequences of previously evaluated accidents is not affected by the proposed change.

2. The proposed amendments would not create the possibility of a new or different kind of accident from any accident previously evaluated. A LOOP is one of the transients analyzed in the Brunswick Update Final Safety Analysis Report. The proposed action would not affect the conclusions of that analysis. In addition, the Brunswick design basis accident analyses accommodate a loss of off-site power coincident with the design basis accident and a single failure of one emergency diesel generator. The proposed change does not affect operability requirements of the emergency diesel generators. Therefore, no new malfunction or accident is introduced by the proposed action.

3. The proposed amendments do not involve a significant reduction in a margin of safety. The basis of Technical Specification 3.0.4 is to ensure that facility operation is not initiated with either required equipment or systems inoperable or other limits being exceeded. Exceptions to this provision are provided for specifications when startup with inoperable equipment would not affect plant safety. Sufficient redundancy of AC power will continue to exist and no fewer sources of AC power will be available than would be allowed for power operation for up to 45 days under Specification 3.8.1.1.a. Therefore, the proposed change would not impact safety and the margin of safety imposed by either Technical Specification 3.0.4 or Specification 3/4.8.1 would not be significantly reduced.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three

standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the Federal Register a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this Federal Register notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By May 15, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for

Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403-3297. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to

rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Data gram Identification Number N1023 and the following message addressed to David B. Mathews, petitioner's name and telephone number, date petition was mailed plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington,

DC 20555, and to General Counsel, Carolina Power & Light Company, P.O. Box 1551, Raleigh, North Carolina 27602, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated March 31, 1995, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403-3297.

Dated at Rockville, Maryland, this 6th day of April.

For the Nuclear Regulatory Commission.
David C. Trimble,
*Project Manager, Project Directorate II-I,
Division of Reactor Projects-I/II, Office of
Nuclear Reactor Regulation.*

[FR Doc. 95-9141 Filed 4-12-95; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Request under review by Office of Management and Budget

Acting Agency Clearance Officer: David T. Copenhafer, (202) 942-8800

Upon written request copy available from: Securities and Exchange Commission, Office of Filings and Information Services, 450 5th Street, N.W., Washington, D.C. 20549

Reinstatement: The Focus Group Research Survey

File No. 270-386

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has resubmitted for the Office of Management and Budget approval for a request to execute a focus group research survey. The survey will attempt to assess the public's understanding of mutual funds and other financial matters. The results will enable the Commission to better understand the level of investor

comprehension of mutual fund prospectuses and financial issues.

The survey is estimated to require approximately 126.00 burden hours. Approximately 40 people will participate in the focus group sessions. Each session will contain 10 individuals and will last about 3.15 hours.

Direct general comments to the Clearance Officer for the Securities and Exchange Commission at the address below. Direct any comments concerning the accuracy of the estimated burden hours for compliance with the Securities and Exchange Commission to David T. Copenhafer, Acting Director, Office of Information Technology, 450 Fifth Street, N.W. Washington D.C. 20549 and the Clearance Officer for the Securities and Exchange Commission, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503.

Dated: March 28, 1995.

Jonathan G. Katz,
Secretary.

[FR Doc. 95-9075 Filed 4-12-95; 8:45 am]

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[Release No. 34-35573; International Series Release No. 800 File No. SR-CBOE-95-20]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Chicago Board Options Exchange, Inc. Relating to the Listing and Trading of Options on the CBOE Latin 15 Index

April 6, 1995.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on March 20, 1995, the Chicago Board Options Exchange ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the CBOE. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The CBOE proposes to list for trading options on the CBOE Latin 15 Index ("Latin 15 Index" or "Index"). The text of the proposed rule change is available at the Office of the Secretary, CBOE, and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The CBOE has prepared summaries, set forth in Sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule change is to permit the Exchange to list and trade cash-settled, European-style³ stock index options on the Latin 15 Index, a narrow-based index created by the Exchange.

The Latin 15 Index consists of fifteen components, including American Depositary Receipts ("ADRs"), American Depositary Shares ("ADSs"), and closed-end country funds from four Latin American countries: Argentina, Brazil, Chile, and Mexico.⁴ The exchange represents that no proxy for the performance of these emerging economies is currently available in the U.S. derivative markets, and options on the Index will provide investors with a low-cost means to participate in the performance of these markets or to hedge the risk of emerging markets investments.

Index Design

As noted above, the Latin 15 Index consists of fifteen components, consisting of ADRs, ADSs, and closed-end country funds. All of the components of the Index currently trade on the New York Stock Exchange ("NYSE").

The components comprising the Index ranged in capitalization from \$77.2 million to \$10.6 billion as of March 14, 1995. The total capitalization as of that date was \$38.8 billion; the mean capitalization was \$2.6 billion;

³ European-style options can only be exercised during a specified period before the options expire.

⁴ The components of the Index are: Argentina Fund Inc.; Telefonica de Argentina S.A.; YPF Sociedad Anonima S.A.; Aracruz Celulose S.A.; Brazil Fund, Inc.; Brazilian Equity Fund, Inc.; Banco Osorno Y La Union; Compania de Telefonos de Chile; Empresa Nacional Electricidad S.A.; Empresas La Moderna S.A. de C.V.; Grupo Tribasa S.A. de C.V.; Coca Cola Femsa S.A.; Telefonos de Mexico S.A.; Grupo Televisa S.A.; and Vitro Sociedad Anonima.

¹ 15 U.S.C. 78s(b)(1) (1988).

² 17 CFR 240.19b-4 (1994).